

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**  
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
JAN 20 2004  
KENNETH S. GARDNER, CLERK  
PS REP. -JJ

In re: ) Chapter 11  
)  
VIRGIL F. LIPTAK d/b/a DESIGNED ) Case No. 03 B 29854  
FINANCIAL SERVICES, )  
) Judge Jacqueline A. Cox  
)  
Debtor and Debtor in Possession. ) Hearing: Jan. 22, 2004, at 2:00 P.M..

**AFFIDAVIT OF FORREST L. INGRAM**

I, FORREST L. INGRAM, being first duly sworn upon oath, depose and state as follows:

1. I am a duly appointed attorney for the Debtor in the above-captioned case.

I am knowledgeable about the facts set forth in this affidavit and am competent to testify to them, and will so testify if called upon to do so in a court of competent jurisdiction.

2. On January 19, 2004, I sent an email to Debtor at the email address that he had given me, and where I had successfully emailed letters and other documents over the past several months.

3. My message to Debtor in the email read; "I am sending you by email and fax a trial memorandum that I intend to file on January 20, 2004 related to the hearing in your case scheduled on Thursday, January 22, 2004."

4. To the email message, I attached the following files: Notice of Filing, Trial Memorandum.

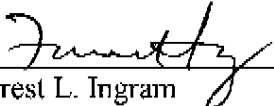
5. When I hit the "send" command, the computer notation indicated that the message and the attached documents were successfully transmitted to Debtor.

6. On prior occasions, the Debtor had informed me that he knew how to access his email from other locations other than his home computer room, and in fact he had given me instructions to do so, that I used to recover email that he had sent to me.

7. On January 19, 2004, I also attempted several times to fax to the Debtor, at the fax number that he had supplied to me and where I has successfully faxed documents to him in the past several months, a copy of the Notice of Filing and the Trial Memorandum.

8. Each time I attempted to fax the documents, the fax transmission sheet indicated that the fax did not go through.

FURTHER SAYETH AFFLANT NAUGHT.

  
Forrest L. Ingram

Signed and sworn to before me  
This 19<sup>th</sup> day of January, 2004

  
Notary Public

